

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MATTHEW VANDERHOOP, Plaintiff,  v.  WILMINGTON SAVINGS FUND SOCIETY FSB, D/B/ A CHRISTIANA TRUST, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR BCAT 2014-10TT, Defendant.	Civil Action No. 18-11924
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**NOTICE OF REMOVAL**

PURSUANT TO 28 U.S.C. §§ 1332, 1441 and 1446, defendant Wilmington Savings Fund Society FSB, d/b/a Christiana Trust, not in its individual capacity, but solely as Trustee for BCAT 2014-10TT (“Wilmington Savings”) hereby removes the above-captioned action, originally filed in the Superior Court of the Commonwealth of Massachusetts, to the U.S. District Court for the District of Massachusetts.

**Statement of Grounds for Removal**

1. Matthew Vanderhoop (“Plaintiff”) is, on information and belief, a Massachusetts citizen with a principal residence located in Aquinnah, Massachusetts.
2. Wilmington Savings is a subsidiary of Wilmington Savings Fund Society Financial Corporation, a financial services holding company headquartered in Wilmington, Delaware.

3. By quitclaim deed dated January 7, 1995, the Plaintiff and Rachel Vanderhoop became record owners of certain real property known as and numbered 17 Old South Road, Aquinnah, Dukes County, Massachusetts (the “Property”).

4. On April 24, 2007, the Plaintiff executed a promissory note in favor of Sovereign Bank (the “Lender”) to borrow the sum of \$850,000.00 (the “Note”). As security for his obligations under the Note, the Plaintiff granted a mortgage on the Property in favor of the Lender (the “Mortgage”).

5. The Mortgage was assigned to Wilmington Savings by an assignment of mortgage dated February 2, 2015.

6. Selene Finance LP (“Selene”) is the loan servicer for the Note and Mortgage on behalf of Wilmington Savings.

7. On August 22, 2018, the Plaintiff filed a complaint (the “Complaint”) with the Superior Court (Dukes) for the Commonwealth of Massachusetts (the “State Court”), commencing the above-captioned action. A copy of the Complaint is attached hereto as Exhibit 1.

8. In the Complaint, the Plaintiff seeks *inter alia* to enjoin Wilmington Savings from proceeding with a foreclosure sale regarding Wilmington Savings’ Mortgage on the Property.

#### **Jurisdiction**

9. This Court has jurisdiction of the above-captioned action pursuant to 28 U.S.C. § 1332 in that the Plaintiff and Wilmington Savings are citizens of different states

and the amount in controversy, exclusive of interest and costs, exceeds the sum or value of \$75,000.00.

10. Removal is timely as, on August 22, 2018, the Plaintiff filed the Complaint with the State Court.

11. Pursuant to the Local Rules for the U.S. District Court for the District of Massachusetts (the "District Court"), within 30 days after the filing of this notice of removal, Wilmington Savings shall file with the District Court certified or attested-to copies of all records and proceedings in the State Court and a certified or attested-to copy of all docket entries in the State Court. Local Rule 81.1.

Respectfully submitted,

WILMINGTON SAVINGS FUND SOCIETY  
FSB, D/B/A CHRISTIANA TRUST, NOT  
IN ITS INDIVIDUAL CAPACITY, BUT  
SOLELY AS TRUSTEE FOR BCAT 2014-  
10TT,

By its attorney,

/s/ Aaron A. Fredericks, Esq.  
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DATE: September 11, 2018